

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NICOLE CROSBY	:	
<i>Plaintiffs,</i>		
		CIVIL ACTION
v.	:	NO. 20-5732
WESTROCK PACKAGING, INC.;		
WESTROCK SERVICES, LLC; and,	:	
BROOK & WHITTLE, LTD		
<i>Defendants.</i>		

ORDER

AND NOW, this 29th day of September 2022, upon consideration of: Defendant Brook & Whittle, LTD's Motion to Dismiss (ECF No. 9); Plaintiff's Opposition thereto (ECF No. 11); and, Defendant Brook & Whittle's Reply (ECF No. 14), it is hereby ORDERED as follows:

- (1) Defendant Brook & Whittle's Motion to Dismiss (ECF No. 9) is DENIED without prejudice;
- (2) In accordance with this Court's accompanying Opinion, the parties shall engage in limited discovery to determine the nature of Defendant B&W's acquisition of Defendants WestRock's Croydon, Pennsylvania facility. Said discovery shall be completed on or before November 4, 2022;
- (3) On or before December 5, 2022, Plaintiff shall file an Amended Complaint; and,
- (4) The Clerk of Court shall place this matter in SUSPENSE status pending the filing of Plaintiff's Amended Complaint. The court shall retain jurisdiction and the case shall be restored to the trial docket when the action is in a status so that it may proceed to final disposition. This Order shall not prejudice the rights of the parties to this litigation.

BY THE COURT:

/s/ C. Darnell Jones, II J.